

# **EXHIBIT 4**



**Dykema Gossett PLLC**  
39577 Woodward Avenue  
Suite 300  
Bloomfield Hills, MI 48304  
WWW.DYKEMA.COM  
Tel: (248) 203-0700  
Fax: (248) 203-0763  
**Jennifer L. Beidel**  
Direct Dial: (248) 203-0506  
Direct Fax: (866) 219-1641  
Email: JBeidel@dykema.com

October 9, 2025

Via Electronic Mail (andrew.tyler@usdoj.gov)

Andrew Tyler  
Trial Attorney, Fraud Section, Criminal Division  
U.S. Department of Justice

RE: *United States v. Hoau-Yan Wang*, 8:24-CR-00211-TDC (DMD)  
Government Discovery Deficiencies

Dear Andrew:

We write in response to your October 7, 2025 letter addressing our correspondence of September 24 and October 3, 2025. For ease of reference, we follow the numbering used in your letter.

**September 24, 2025 Letter:**

**1. Subpoenas**

We note your position that the subpoenas themselves contain only requests for information and therefore no discoverable evidence. However, the scope and content of the subpoenas to CUNY and Cassava Sciences, Inc. are directly relevant to the government's theory of the case—specifically, whether the government possesses or reviewed the *original source data* underlying the CUNY/Cassava research at issue.

Please confirm whether the government's position is that none of these subpoenas or their responses are discoverable, and, if so, the basis for that position.

If the government is not withholding these materials on privilege or other grounds, please produce unredacted versions of the subpoenas and responses, or confirm that no such unredacted versions are in the government's possession.

**2. 302 Attachments**

We appreciate the detailed chart included in your letter. We are reviewing the Bates ranges you identify and will cross-reference them against prior productions. We may follow up with specific questions once that verification is complete.



Page 2  
Andrew Tyler

### **3. Brookes Expert Reports**

We have reviewed the Daubert exhibit list referenced in your September 26, 2025 correspondence. One point to note: Exhibit 24, which is described as “*Brookes Report 5.2 – Analysis of Source Images for Figures in 2020 J. Prev. Alz. Dis. Paper*,” is actually titled “5.4” on the face of the report itself. This “5.4” numbering duplicates the designation used for Exhibit 26, “*Brookes Report 5.4 – Analysis of Excel Spreadsheets Containing Biomarker Data from Phase 2b Simafulam Trial*.” We flag this inconsistency for clarification.

### **October 3, 2025 Letter:**

#### **1. Draft Work Papers and Research**

The government states that it has produced all \$3500 materials associated with Dr. Brookes, including materials from the Defendant’s Acer and Dell laptops and the PNY drive referenced in Government Production 3.

Please confirm whether it is the government’s position that every PowerPoint, JPEG, and PDF file from those devices was provided to Dr. Brookes. If not, please identify which specific files were provided and their corresponding Bates ranges. This issue bears directly on the scope of Dr. Brookes’s review and the data underpinning his conclusions.

#### **3. ORI Materials**

You state that the government does not possess Office of Research Integrity (ORI) materials related to Dr. Brookes, but that the U.S. Department of Health and Human Services (HHS) provided a small number of unrelated ORI documents that will be produced. We request that the government confirm whether it has requested from ORI any and all materials related to Dr. Wang, Dr. Brookes, or the underlying research. Because ORI is part of HHS, which is a federal investigative agency that is closely enough related to this matter to be considered part of the prosecution team, we respectfully request that you make such a request if one has not yet been made.

#### **5. 302 Attachments**

We appreciate the chart included with your letter and the additional Bates references. We are reviewing these cross-references to confirm completeness and will raise any follow-up questions as needed.

To avoid further delays, we ask that any remaining materials be produced promptly upon availability. We appreciate your cooperation in ensuring timely and complete discovery.



Page 3  
Andrew Tyler

Sincerely,

**Dykema Gossett PLLC**

*/s/ Jennifer L. Beidel*

Jennifer L. Beidel



Page 4  
Andrew Tyler

CC: Vasanth Sridharan ([vasanth.sridharan@usdoj.gov](mailto:vasanth.sridharan@usdoj.gov))  
Kashan Pathan ([Kashan.Pathan2@usdoj.gov](mailto:Kashan.Pathan2@usdoj.gov))